

DENTONS

C. Michael Moore
Partner

mike.moore@dentons.com
D +1 214 259 0902

Salans FMC SNR Denton
dentons.com

Dentons US LLP
2000 McKinney Avenue
Suite 1900
Dallas, TX 75201-1858 USA

T +1 214 259 0900
F +1 214 259 0910

February 9, 2015

The Honorable Robert Pitman
United States District Judge
Western District of Texas
501 West 5th Street, Suite 7300
Austin, TX 78701

Re: State of Texas, et al. v. Astrazeneca, L.P., et al.; No. 1:15-cv-00102-RP

Dear Judge Pitman:

The defendants in the above captioned action submit this letter in response to the Court's Order dated February 5, 2015, which requests the entire state court file for this removed action. For the reasons explained more fully below, the defendants confirm that—as the removing party—they have submitted all state court pleadings in this action that are not presently under seal with the state court.

This action began when the relator plaintiffs filed their original petition in August 2013 under seal, pursuant to the authority granted by TEX. HUM. RES. CODE § 36.101. All filings in the action then remained under seal until December 2014 when the State of Texas intervened in the action and agreed to service of process on the defendants Astrazeneca, L.P. and Astrazeneca Pharmaceuticals, L.P. All filings prior to that date remain sealed to the defendants, and the defendants are therefore prohibited from obtaining such filings. The defendants have, however, submitted to the Court all portions of the state court file for which they do have access. Those filings are reflected in Exhibit A, submitted with the Notice of Removal filed February 4, 2015. The State of Texas has reviewed this letter and does not disagree with any of the assertions set forth herein.

For the foregoing reasons, the defendants confirm that they have submitted to this Court all portions of the state court file that are not presently under seal. If the Court, however, at any time believes the additional, sealed portions of the state court file are nonetheless necessary to this proceeding, the defendants will take all possible actions to provide the Court with such sealed materials.

Respectfully,



C. Michael Moore
Partner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on February 9, 2015, a copy of the foregoing was filed electronically with the Clerk of Court using the CM/ECF system. Notice of this filing will be sent to all counsel of record via the CM/ECF system, electronic mail or by placing same in the United States mail, properly addressed and postage prepaid, this 9th day of February, 2015.

Eugenia La Fontaine Kreig
Jonathan D. Bonilla
Sinty A. Chandy
Michael Garemk
Kris Kennedy
Brian H. Vanderzanden
Hanz Wasserburger
Brian Moore
Justin Dunlap
Assistant Attorneys General
Civil Medicaid Fraud Division
P.O. Box 12548
Austin, Texas 78711-2548

Counsel for the State of Texas

Barry Abrams
David Cohen
BLANK ROME LLP
700 Louisiana
Houston, Texas 77002-2727
BAbrams@BlankRome.com
DCohen@BlankRome.com

W. Scott Simmer
SIMMER LAW GROUP PPLC
The Watergate, Suite 10-A
600 New Hampshire Ave. NW
Washington, DC 20037
scott.simmer@simmerlaw.com

Alan M. Freeman
600 New Hampshire Avenue, NW
Washington, DC 20037
freeman@blankrome.com

**Counsel for Plaintiff/Relator Layne D. Foote
and Mark T. Lorden**

Corey M. Weideman
DUANE MORRIS LLP
1330 Post Oak Blvd., Suite 800
Houston, TX 77056-3166
cmweideman@duanemorris.com

Teresa N. Cavenagh
DUANE MORRIS LLP
30 South 17th Street
Philadelphia, PA 19103-4196
tncavenagh@duanemorris.com

**Counsel For Plaintiff/Relator Kenneth
McDonough, M.D.**

Sarah Frazier
Berg & Androphy
3704 Travis
Houston, TX 77002-9500

**Counsel For Plaintiff/Relator RoseMarie De
Souza**

/s/ C. Michael Moore
C. Michael Moore